

FIRST REGULAR SESSION

# HOUSE BILL NO. 604

## 93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHAAF.

Read 1<sup>st</sup> time February 22, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1653L.011

### AN ACT

To amend chapter 103, RSMo, by adding thereto one new section relating to state-qualified health coverage option plans for the federal health coverage tax credit.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 103, RSMo, is amended by adding thereto one new section, to be known as section 103.500, to read as follows:

**103.500. 1. The following health plans shall be available as a state-qualified health coverage option for persons who are eligible for the federal health coverage tax credit established by the Trade Act of 2002:**

(1) Coverage under a state employees' health insurance program, including but not limited to coverage under this chapter;

(2) Coverage offered through a state high risk pool, including but not limited to coverage under sections 376.960 to 376.989, RSMo;

(3) State-based COBRA or continuation coverage;

(4) A state-based health insurance program that is comparable to the health insurance program offered to state employees;

(5) Other state arrangements with an insurer of health insurance coverage, an administrator, an employer, or a group health plan;

(6) Coverage provided through a private sector purchasing pool; and

(7) Coverage that is provided through a state-operated health plan that does not receive any federal financial assistance.

**2. The health plans listed in subsection 1 of this section shall only be considered**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 qualified as a state-qualified health coverage option if such plans meet the following  
18 criteria:

19 (1) Qualifying individuals are guaranteed enrollment in the health plan regardless  
20 of their medical status and are permitted to remain enrolled so long as they pay the  
21 premium;

22 (2) No preexisting condition restriction is imposed on qualifying individuals;

23 (3) The premium charged for a qualifying individual is not greater than the  
24 premium for a similarly situated person who is not receiving the tax credit; and

25 (4) Benefits are the same or substantially the same under coverage provided to  
26 similarly situated individuals who are not qualifying individuals.

27 3. The department of insurance shall facilitate and coordinate the filing of  
28 appropriate documentation by state agencies, including state elections letters, necessary  
29 to qualify the health plans listed in subsection 1 of this section as a state-qualified health  
30 coverage option for persons who are eligible for the federal health coverage tax credit  
31 established by the Trade Act of 2002.

32 4. The department of insurance may promulgate rules to implement the provisions  
33 of this section. Any rule or portion of a rule, as that term is defined in section 536.010,  
34 RSMo, that is created under the authority delegated in this section shall become effective  
35 only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and,  
36 if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are  
37 nonseverable and if any of the powers vested with the general assembly pursuant to  
38 chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule  
39 are subsequently held unconstitutional, then the grant of rulemaking authority and any  
40 rule proposed or adopted after August 28, 2005, shall be invalid and void.